

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Jukka Puoskari et al.

Application No.: 10/599,809

Confirmation No.: 4944

Filed: October 10, 2006

Art Unit: 2817

For: BAND STOP FILTER

Examiner: Stephen E. Jones

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed July 7, 2008, please enter the following election in the above-identified application:

The Examiner has required election among the following Species:

Specie I: Figure 3;

Specie II: Figure 4;

Specie III: Figure 5; and

Specie IV: Figure 7.

In response Applicant elects Specie I (claims 1, 2, 3, 6 and 7). Applicant makes this election with traverse.

Unity of Invention is Present

The present application is a national stage application of PCT/FI2005/050140. Therefore, any restriction requirement for the present application is subject to evaluation under the unity of invention standard for international applications. If an international application should relate to more than one invention, the inclusion of those inventions in one international application is permitted if all inventions are so linked as to form a single general inventive concept. Under PCT Rule 13.2 the unity of invention is fulfilled “when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features.”

Further, PCT Rule 13.4, Dependent Claims, permits inclusion “in the same international application a reasonable number of dependent claims, claiming specific forms of the invention claimed in an independent claim, **even where the features of any dependent claim could be considered as constituting in themselves an invention.**” (Emphasis added.)

Applicants submit that each of the species identified by the Examiner involves the same corresponding technical feature. Specifically, each specie shown in Figs 3, 4 and 5 comprises a band stop filter having a unitary conductive filter housing within which are contained a first, second, and third coaxial resonator. In addition, a transmission conductor is located within the housing running from a first end wall to an opposite end wall of the housing. The transmission conductor in conjunction with the housing forms a transmission line. The transmission conductor forms the center conductor of the transmission line, and the housing functions as the outer conductor of the transmission line. The specie depicted in Fig. 7 is a variant of the transmission conductor itself. Accordingly, it is respectfully submitted that each of the species identified by the Examiner “involve[e] one or more of the same or corresponding special technical features,” as permitted under PCT Rule 13.2.

Additionally, there is only one independent claim and eight dependent claims — which is submitted to be a reasonable number. The dependent claims merely claim “specific forms of the invention” as claimed in independent claim 1. For instance, claim 2 recites the specific form of a “unitary rod-like piece” for the transmission conductor; claim 3 recites the transmission conductor “running beside inner conductors of the resonators;” claim 4 recites the transmission conductor

“running above inner conductors of the resonators;” and so on for the other dependent claims. Accordingly, it is respectfully submitted that each of the dependent claims “claim[] specific forms of the invention claimed in [] independent claim [1],” as permitted under PCT Rule 13.4.

Claim 1 is a Generic Claim

Each of the features recited in claim 1 reads on the devices depicted in Figs. 3, 4 and 5. As noted above, claim 1 recites a transmission line with a center and outer conductor and coaxial resonators. Each of these elements are found in Figs. 3, 4, and 5. The inner space of the housing is divided by conductive partition walls into resonator cavities. Each of the resonators separately has an electromagnetic coupling to the transmission line, arranged by a coupling element. Each of these elements are found in Figs. 3, 4 and 5. The transmission conductor is located inside said housing, running through openings in said partition walls across all resonator cavities. Each of these elements are found in Figs. 3, 4 and 5. It is respectfully submitted that all elements recited in claim 1 are found in Figs. 3, 4 and 5. Fig. 7 depicts a variant of the transmission conductor including thick and thin portions, which is the subject matter of claim 9. Because claim 9 depends from claim 1 through claim 8, it is respectfully submitted that claim 1 is also generic for the specie depicted in Fig. 7. Accordingly, claim 1 is a generic claim.

Claims 1-9 are pending. Claims 4, 5, 8 and 9 are withdrawn from consideration.

Early consideration of this application is respectfully requested.

Dated: August 29, 2008

Respectfully submitted,

By 

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(PATENT)

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FIRST PRELIMINARY AMENDMENT

MS Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

Prior to examination on the merits, please amend the above-identified U.S. patent application as follows:

Amendments to the Specification begin on page 2 of this paper. A marked-up Substitute Specification is attached hereto (**Attachment A**), and a clean version of the Substitute Specification is attached hereto (**Attachment B**).

Amendments to the Abstract begin on page 3 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 5 of this paper.

Remarks/Arguments begin on page 7 of this paper.